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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHENG THAO,  
ANDRE JONES,  
DAVID TRUNG DUONG, AND  
ANDY HUNG DUONG,

Defendants.

CASE NO. CR 25-CR-0003-YGR

NOTICE OF ERRATA IN UNITED STATES'  
OPPOSITION TO DEFENDANT'S MOTION TO  
MODIFY FILTER PROCESS

1 In the government's opposition to Defendant's motion to modify filter process, the government  
 2 included, among a number of other cases, the following case cite: *United States v. Jarman*, 847 F.3d  
 3 259, 266 (5th Cir. 2017) (approving government's use of filter team and stating that the "Second, Third,  
 4 Fourth, Seventh, Eighth, Ninth and Tenth Circuits, in at least some cases, have also either approved of or  
 5 recognized and declined to criticize the use of government filter teams to screen materials for privilege  
 6 before items are released to the investigators in the case."). *See* Dkt. No. 56 at 7.

7 In his reply brief, Defendant David Duong correctly asserts that this quoted language does not  
 8 appear in the Fifth Circuit's *Jarman* opinion. *See* Dkt. No. 61 at 3-4. The language the government  
 9 quoted in its opposition brief is actually from an Eleventh Circuit decision discussing the *Jarman* case,  
 10 but the contents of the quoted passage are otherwise correct. The citation should read as follows: *See In*  
 11 *Re: Sealed Search Warrant and Application for a Warrant by Telephone or Other Reliable Electronic*  
 12 *Means*, 11 F.4th 1235, 1249 (11th Cir. 2021) (discussing the Fifth Circuit's *Jarman* opinion and stating  
 13 "[t]he Second, Third, Fourth, Seventh, Eighth, Ninth and Tenth Circuits, in at least some cases, have  
 14 also either approved of or recognized and declined to criticize the use of government filter teams to  
 15 screen materials for privilege before items are released to the investigators in the case.").

16 The government apologizes for this citation error.

17  
 18 DATED: April 10, 2025

Respectfully submitted,

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